

Dear Sir / Madam,

A Refreshed TB Eradication Programme

February 2022

Following consultation with its membership, please find below a response from the Farmers' Union of Wales to the above consultation.

i. General Comments

Numerous FUW members called upon the FUW to reject these proposals in their entirety due to the fact that the consultation (1) Lacked suitable and thorough evidentiary support (2) Did not provide any assessment on cattle welfare and the financial and well-being impacts of the proposals (3) Lacked basic detail on some of the proposals (4) Contained questions which could lead the respondent and (5) Omitted any reference to the detrimental interconnectivity between the proposals. FUW members believed that the tone and content of the present consultation represented a tremendous disservice to the farming sector in Wales and displayed a lack of any real ground-level understanding regarding the degree to which the proposals would detrimentally affect the ability of farm businesses to function. It is the belief of FUW members that the Welsh Government are dangerously close to presiding over the demise of the Welsh cattle sector - and its associated industries - due to a costly, bureaucratic and flawed TB eradication programme which fails to protect farm businesses and cattle from bovine TB.

The FUW provides further comments on the above throughout this consultation response.

Given that the changes proposed come with significant added expense, the FUW is incredulous that no impact assessment has been conducted on the potential costs and administrative burdens placed upon livestock keepers resulting from the proposed changes. Given the significant changes proposed, it is not only fair and reasonable for the farming industry to expect such an assessment to have accompanied the consultation, but may also be a legal requirement under the June 2021 Welsh Ministers' regulatory impact assessment code for subordinate legislation. The omission of any economic impact assessment made the potential ground-level impact unclear and suggests indifference as regards the economic, administrative, animal welfare and emotional costs which would be borne by cattle keepers

following the genesis of these proposals. In addition, given current regional differences in both TB prevalence and incidence, it is inevitable that the effect of these proposals will be asymmetric with herds in the High and Intermediate Risk Areas bearing the greatest cost.

The FUW is also extremely concerned that the lack of any impact assessment could influence the responses received in favour of the proposals as members of the public would be unable to determine the on-farm and industry level costs incurred. Whilst the FUW recognises the balance between the provision of technical information and the ability of the respondent to understand and process such information, an impact assessment could have been easily understood and should have been included as a matter of course. The FUW would therefore seek to ensure that the Welsh Government recognises the fact that the consultation is not balanced when reviewing the responses received.

The Union believes that there was a basic lack of evidence and clarity for many of the measures proposed in the present consultation. The FUW is grateful for the supplementary evidence provided by the Welsh Government upon request, however members still found it difficult to comment on the proposals provided; many of which were supported with little more than generic statements and non-specific evidence. Without such additional information, determining the relative epidemiological impact of introducing a given proposal is essentially impossible.

As with the present consultation, previous consultations on the Welsh TB Eradication programme have resulted in several increased cattle control measures and there has been a distinct lack of long-term evaluation and appraisal of such controls. Indeed, whilst trends in TB levels have been examined, continual changes to the TB programme make it difficult to evaluate the causative factors for the real trends identified in the data and this makes it difficult to determine which of the numerous methods applied and imposed on farms has the greatest impact. Indeed, the extent to which each of the measures proposed would function to reduce *Mycobacterium bovis* transmission and incidence is unclear. It is reasonable to assume that the benefit conferred by each of the measures will not be equal and the Union still requires better evidentiary support to make a proper and informed decision about which cattle control measures would have the greatest impact and which are outweighed by the costs conferred upon the industry. Without proper evaluation of all the methods, there may be a disproportionate number of regulations imposed upon producers and livestock keepers will be subject to an ever-increasing raft of cattle controls; some of which may have little or no impact on disease levels. For example, the FUW continues to receive correspondence from members querying the reasoning behind the delay to the next clearing test which occurs when cattle are moved from a TB restricted holding to an orange market. Whilst the FUW recognises that this falls under the auspices of undisclosed infection, the union would welcome moves to determine the real risk of future transmission posed under such circumstances. It stands to reason that a proposal which bears a high cost to the industry, whilst having a minimal impact on disease control, should be rejected. The deliberate or accidental omission of this information is a disservice to the farming industry.

The FUW would argue that all cattle control measures should be scored for their potential effectiveness and that moves toward an ever-increasing number of biosecurity and cattle control measures should be avoided unless it can be proven that the impact of implementing such measures will be significant in terms of disease control and prevention. Given that all previous discussions on controlling TB in wildlife have required a wealth of evidentiary support prior to any wildlife control policies, the same principle should clearly be applied to cattle control policies.

It is unclear from the present consultation whether the Welsh Government fully understands the interconnectivity between the proposals put forward in this consultation and the severe devastating impact that they will confer on many in the farming sector in Wales. For example, the move towards risk based trading as proposed will inevitably devalue and discriminate against some stock and it is to be expected that this will drive prices down significantly. Should table valuations be adopted, the reduction in prices conferred by risk based trading will further drive down the average market value paid for stock that are compulsorily slaughtered. The reduction in market values - and thus average tabular values - is further compounded by the fact that the addition of more TB tests will inevitably lead to more stock being culled (including more false positives), and cattle keepers will therefore find themselves in the impossible situation of having more stock taken at significantly reduced prices. The compounding effect of introducing multiple interconnected proposals was neglected in the present consultation and this is a serious omission.

As with previous consultations on the bovine TB programme in Wales, the FUW is exasperated at the lack of any novel approach and the focus and fixation on ever-increasing the raft of cattle controls conferred on keepers. Such an approach is even more damaging to the Welsh cattle sector given the existing staunch anti-cull political environment in Wales which *'forbids the culling of badgers to control the spread of TB in cattle'* in all circumstances, irrespective of the scientific evidence, meaning further cattle controls are justified by effectively and exclusively blaming the spread of bovine TB on the actions and behaviours of cattle keepers. Such a stance contradicts the scientific evidence on this disease, and the FUW is concerned that this is leading to the Welsh Government pursuing a one-dimensional, failing and outdated bovine TB programme which continues to leave cattle keepers vulnerable to sources of infection that are out with their control whilst simultaneously driving down prices and increasing costs and bureaucracy.

Advances in genome sequencing have led to well established techniques which can identify the strain of *Mycobacterium bovis* responsible for a disease outbreak. To date, over 180 strains have been identified using this technique and such analysis is essential in determining whether an infection entered a herd from the purchase of infected stock or whether it arose from 'local origin'; either from local wildlife or other cattle in the local vicinity. Where the breakdown is identified as having a wildlife origin, it is incumbent upon the Government to establish policies which reflect this source of infection and which allow for proper and scientifically validated culling and/or control methods. Current government red lines on this

matter are both dangerous and shortsighted and are a disservice to the hard-working farming families in Wales that continue to fully comply with escalating TB regulations.

Given the above, it is extremely interesting to note the latest Animal Health and Welfare Framework Implementation Plan 2022-2024 for Wales. As part of its mission to '*optimise health and wellbeing for animals*', the Implementation Plan states that '*wildlife is also covered where.....there is a risk of wildlife transmitting disease to other animals or humans*'. The FUW believes that the TB Eradication Programme and the Welsh Government's 'red line' on badger culling is in direct contradiction to the Implementation Plan. Indeed, whilst the FUW agrees with the oft-quoted mantra within the Implementation Plan that '*prevention is better than cure*' it is difficult to ascertain how prevention can occur in under an eradication programme which is content to chase the disease by ever-increasing cattle controls while ignoring other reservoirs of disease. It is therefore clear to the FUW that the Welsh Government continues to consider only one aspect of bovine TB policy as opposed to taking an holistic approach, and that farmers will continue to pay for an eradication programme which is borne out of politics and not science.

As has been reiterated on numerous occasions, the Union believes that the previous regional badger cull policy which was accepted in 2011 by the then Minister for Rural Affairs, Ms Elin Jones AM, and approved by the Welsh Assembly, represents the most complete and thorough approach to wildlife control. The FUW remains frustrated that politics has since been allowed to triumph over disease control and the FUW will continue to push for mechanisms to control TB in wildlife. The badger control policy offered for farmers within the High TB Area in the previous 'refreshed' approach was a weaker policy than that outlined previously and the FUW previously highlighted that only a handful of the 60—70 farmers whose breakdowns could be classified as chronic or long-term would benefit from this policy direction. It is therefore unsurprising that the results emanating from this work have been unable to provide direction for future policies in this regard.

The FUW would continue to remind the Welsh Government that, in 2012, the European Commission bovine TB sub-group report stated that there was '*considerable evidence to support the removal of badgers in order to improve the TB status of both badgers and cattle*'. Moreover, the report of the sub-group stated that the previous badger vaccination programme, which replaced a badger cull, represented a deceleration of the Welsh eradication plan and a loss of impetus. The FUW is extremely disappointed to note the Welsh Government's continuing disregard of expert opinions and scientific evidence for political reasons as opposed to disease control priorities, and that it does so at the expense of Welsh cattle and the financial and mental wellbeing of Welsh farmers.

It is of note that 2014 marked the genesis of the Badger Found Dead (BFD) programme in Wales which aimed to gain insight into the level of TB in wildlife populations on a regional basis. However, the FUW has yet to see any evidence that the results of the BFD survey have significantly changed, influenced or shaped the Welsh bovine TB programme. Whilst the FUW will continue to promote the programme amongst its membership, the Welsh

Government's red line on proactively tackling the disease in badgers undermines the value of the programme. Moreover, there is concern that the results of the BFD survey may lead to the perverse and unjust situation where cattle keepers are forced to adopt costly measures to separate cattle from wildlife, as opposed to more effective approaches that will reduce the number of infected badgers and thus disease transmission.

Given the heavy reliance on increased testing, the FUW would seek assurances that sufficient personnel and facilities are available within current TB testing providers to cope with the increase in testing requirements - particularly given the current shortages of veterinarians which the Welsh Government is well aware of. Indeed, the FUW is aware that members have previously received penalties due to a lack of veterinary personnel and resources and would suggest that extra resources must be in place prior to the introduction of any increased testing requirements. Given the potential penalties and movement restrictions which can arise following overdue TB testing, it is imperative that no penalties are conferred for any delay to TB testing which remains out with the control of the cattle keeper. Furthermore, the FUW is aware that gamma blood testing requires samples to be maintained at specific temperatures in order to ensure the viability of the test. FUW members stated that the specific requirements of gamma testing would need to be borne in mind when developing proposals which significantly increase the number of tests being conducted.

In addition to the above, the FUW believes the Welsh Government should seek to determine the expected impact on cattle welfare and human health and safety due to the increased gathering and handling required to comply with the testing proposals in the current consultation. No information has been provided on these issues.

Members expressed concern that the previous changes to TB testing, such as the increased use of gamma blood testing, have not yet been given adequate time to determine the impact on bovine TB levels. Further increases to TB testing requirements were therefore deemed to be premature; especially given the increased disruption to farm businesses which have seen years of strengthened and altered cattle controls - to the extent that the FUW believes they are the most rigorous in the world. Given the lack of evidentiary support provided for the huge raft of increased cattle controls proposed, it appears that the Welsh Government have adopted a '*try it and see*' approach to bovine TB control which does not account for the serious financial, welfare and mental health implications for livestock keepers. This is further evidenced in that the simultaneous introduction of all of the proposals in the consultation will make it impossible to determine, yet again, which proposals have had the greatest impact. As stated previously, the Welsh Government continues to place additional costly controls upon cattle keepers, without any proper and thorough evaluation of the usefulness of current controls.

It is of note that, despite the introduction of a regionalised bovine TB programme in Wales in 2017, the background data for cattle in the present consultation was provided on a Wales-wide basis only. Given that some of the proposals included in the consultation are regionalised, the FUW does not believe the provision of such simplistic and pooled data

provides adequate evidence to support or justify the proposals. The FUW notes that regionalised data was provided for Badger Found Dead data and would seek parity for cattle data in order to allow more informed decision making when considering the potential introduction of regionalised policies.

Finally, the FUW would highlight the concern that the impact of the proposals and their interaction with other Welsh Government policies and regulations has not been fully considered. For example, in terms of The Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021, the proposed additional controls can lead to changes in cattle management practices such that cattle are finished on farms where they are born rather than being sold as store animals to farms more suited to finishing. This will lead to an increase in feed and fodder inputs, with implications in terms of stocking densities, nutrient limits and infrastructure costs. Conversely, where the additional controls lead farms to stop keeping cattle altogether, this will have a range of adverse ecological impacts in areas where grazing by cattle is essential for the maintenance of certain species and habitats and is actively encouraged by the Welsh Government.

ii. Specific Consultation Questions

1. Legal requirement for farmer paid PrMT from herds in the Low TB Area. Do you agree with this proposal? Please explain your reasons.

The Union believes that the priority for herds within the low TB area should be protection against disease in a manner which is proportionate to the risks conferred by a given activity and the benefits gained by a given policy.

Supplementary evidence provided by the Welsh Government to the FUW confirms that this question relates to all moves from the Low TB Area to any other region. The evidence provided in the consultation in relation to this question describes an increase in the number of new TB incidences ('hotspots') in localised areas within the Low TB Area. The consultation states that the disease is locally linked and uses this as evidence for requiring PrMTs in the Low TB Area. However, the proposal for blanket PrMT for all moves from the Low TB Area was without any evidentiary support in the consultation. The supplementary evidence provided by the Welsh Government on this issue remains focussed on local trading partners within the Low TB Area and supplementary evidence for moves outside the Low TB Area remain lacking.

Whilst there may be merit in PrMTs for all moves from the Low TB Area, the FUW believes evidentiary support for such a proposal should have been provided. The lack of proper evidentiary support - and the often cursory nature of the current consultation - has angered and frustrated FUW members and the Union would seek assurances that the industry is better respected in future consultations that are of such gravity.

Given the above, numerous members expressed extreme concern that this proposal would add significant costs and expense to cattle keepers wishing to move cattle to different holdings under the same ownership within the Low TB Area.

The FUW would also remind the Government that any increases to cattle testing frequency and sensitivity can increase the rate of false positives. Given the appetite in this consultation for utilising more sensitive tests as PrMTs, increased testing frequency - and thus an increase in false positives - could impact upon the recorded incidence of disease in each of the regions. Under the current guidelines, herds are classified as residing in a Low TB Area where less than 0.2% of herds have a TB breakdown. Any increase to testing frequency - and subsequent increase in false positive reactors and concomitant reduction in regional classification - will have extremely negative effects for industry and for the public perception of farming. It is unclear how the Welsh Government plans to manage and mitigate the impact of false positives on overall disease incidence as such discussions have not been included in the present consultation.

2. Cattle entering the Low TB Area from higher incidence areas need a clear PrMT. Do you agree cattle moving into the Low TB Area from a higher incidence area should also require a PoMT on arrival? Please explain your reasons.

As before, whilst there may be merit in PoMTs for moves into the Low TB Area from a higher incidence area, the FUW had to seek further evidentiary support necessary for decision making in this regard. Given the serious nature of the present proposals, the lack of proper evidentiary support in the consultation severely constrained the ability of consultees to properly judge the merits of the proposals.

The FUW notes that the evidence used by the Welsh Government for this proposal relates to the Shap cluster in England's Low Risk Area. Whilst the FUW notes the Welsh Government's statement that '*there is no reason why epidemiological evidence relating to TB policy decisions in Wales needs to be generated in Wales*' the FUW would query why such Wales-specific information is not available as it should be collected as a matter of course.

The supplementary evidence relating to this proposal, which was subsequently provided by the Welsh Government on request, states that the proposal would provide flexibility in the event that epidemiological evidence supports its introduction in future cases. This is a different proposal to the blanket PoMT procedure proposed, making the precise nature of the proposal unclear.

Several members commented that the expense associated with the requirement for PoMTs for moves into the Low TB Area would inevitably disadvantage cattle keepers trading from other regions; this is especially pertinent for those cattle keepers in such areas that have no previous history of TB in their herds.

The FUW notes the aspiration of Welsh Government to create discriminatory proposals which function to ‘discourage purchases from **higher TB incidence areas**’. The FUW would question how such a philosophy works within the wider context of risk based trading as this type of blanket testing cannot distinguish between high and low risk *herds* residing in a high risk *area*. Indeed, the proposals could effectively discourage cattle keepers in the High TB Area from the hard work and expense of keeping their herds free from TB as the Welsh Government endorse proposals in which herd TB history is less relevant than provenance.

3. Do you agree cattle moving into the Intermediate TB Areas from higher TB incidence areas should have a PoMT? Please explain your reasons.

The Union believes that testing policies should reflect the current disease picture but only in a manner which is proportionate to the risks conferred by a given activity and the benefits gained by a given policy.

The FUW recognises that testing policies should reflect the disease picture in a given region. However, given the above, members reiterated that this proposal would further impact on the trading ability of those TB free herds residing in the Intermediate and High Risk TB Areas. Indeed, given that less than 5% of herds in the Intermediate Area have lost OTF status, policies which are indiscriminate are potentially unjustifiable without proper epidemiological support.

In addition to the responses already provided previously, the FUW would use this opportunity to state that the impact of any increased testing regime on (1) cattle welfare and (2) the health and safety of both testers and cattle keepers must also be considered. Handling cattle inevitably involves a risk of injury and an increase in the frequency of gathering and handling cattle for TB testing will invariably increase such risks.

Furthermore, several members commented that the additional requirements for PoMT would preclude cattle movements for a further 60 days; even within multiple farm holdings under the same ownership. Given that this delay could significantly impact upon business activities the attractiveness to buyers of TB free herds in higher risk areas will be further reduced.

Following a request by the FUW for additional evidentiary support, the FUW notes that the evidence for this proposal relates to moves from 4 yearly testing parishes in England which ‘can lead to a large number of new TB breakdowns in Wales’. However, no further evidence was provided relating to within Wales moves where all cattle are annually tested, and the FUW would therefore welcome further clarity and evidence on this issue. This is especially pertinent given the potential impact of this proposal on herds within the High Risk Area of Wales.

The FUW has previously made representations to the Welsh Government regarding a lack of parity when cattle are moved across the border from England into Wales. At present, cattle

from the 4 yearly testing parishes in England may be moved into Wales without a PrMT requirement. This has been a longstanding concern expressed repeatedly by the FUW, and one which the Welsh Government has, to date, failed to address and is now seeking to use as justification for additional controls relating to movements *within* Wales. Despite being in a low TB area, the length of time between TB tests make such cattle an unknown TB risk and such cattle are therefore not comparable with the annual / 6 monthly testing regimes employed within Wales. Given the significant increases in testing burdens proposed, coupled with practices which will inevitably discriminate against Welsh cattle keepers, the FUW welcomes moves to increase equivalence.

4. Do you agree with Welsh Government exploring the temporary introduction of PoMT of cattle originating from an identified TB Hotspot, or high risk herds? Please explain your reasons.

Should the above proposal be introduced, the FUW believes that it *must* account for TB hotspots and high risk areas outside of Wales.

Given the temporal and fluid nature of hotspot areas and high risk herds, FUW members questioned the ability of APHA to provide this information in real time and in a way which empowers cattle keepers to make informed purchases. Given that there are proposals within the present consultation which posit penalising ‘risky’ purchases, any delay in the provision of such information will have significant financial and business consequences. There is no information in the present consultation regarding how such information will be provided, and the FUW would seek further information on this issue prior to the introduction of any such policy or regulation.

The Union notes that the 2017 consultation on the Refreshed TB programme contained no criteria by which high risk herds may be identified and the FUW sought further discussions on this issue in its 2017 response. The definition of a High Risk Herd has been developed without consultation with industry and it is essential that the definition of high risk herds is undertaken in conjunction with the industry to ensure that the criteria used are appropriate and proportionate to the risks.

Numerous members commented that the requirement to PoMT before cattle are mixed with the rest of the herd would create significant difficulties in terms of additional housing requirements and for those cattle keepers that buy in cattle at numerous times of the year.

5. Where do you feel this policy would have the most impact? (For example High TB Areas, Intermediate TB Areas or Low TB Area).

Given that no regionalised epidemiological data was provided in the consultation, it is difficult to determine the different regional impacts of this proposal. However, it is common sense to assume that the greatest disadvantage would be conferred upon higher risk herds.

6. Not allowing a herd clearing test as a PrMT as we do in persistent herd breakdowns. Do you agree with this proposal? Please explain your reasons.

The FUW and its membership fundamentally and vehemently oppose this proposal. Given the severe consequences of such a proposal for hard-working family farms, the use of generic sweeping statements rather than proper epidemiological evidence falls well short of the justification that should be required for such a policy to be proposed. The FUW recognises the sentiment that '*extending the period before animals move and requiring an additional test increases the chance of undisclosed infection*' but would caution against the use of such generic language as this approach could mean ever-increasing testing burdens which lack proper scrutiny and evaluation.

Given the fundamental differences between Persistent Breakdown Herds and other TB breakdown herds, the FUW would query the significant jump to a pan-Wales approach on this policy. This proposal takes no account of herd-level differences such as the appearance of lesions at slaughter, culture test results, the number of reactors and other TB risk factors. This is especially pertinent given the Wales-wide move to Officially TB Withdrawn (OTFW) as standard from the 17th of January 2022. Given the above, the FUW does not agree that this proposal is required on a Wales-wide basis. TB breakdowns are not all equal in risk, and this was the basis of regionalised TB testing requirements in the 2017 Refreshed approach; an approach which seems to have been selectively dismissed in the current consultation.

As part of its request for further evidentiary support, the FUW sought to determine how many cattle that were moved following two clear tests subsequently became TB reactors in the subsequent 60 days. Supplementary information provided by the Welsh Government states that 22% of breakdowns across Wales are attributable to '*undisclosed infection*'. The FUW is grateful for the supplementary information provided relating to recurrence rates and outcomes but does not believe that this data constitutes what was requested and cannot therefore be used to assess the benefits of the testing regime proposed. As such, it remains unclear what percentage of the 22% of breakdowns would have been prevented if a PrMT was required after the second clearing test.

As it stands, this proposal will increase testing costs, require the additional gathering and handling of cattle, impact cattle welfare, increase risk of injury, extend the length of time that farms remain under restrictions by at least two months and will further decrease industry faith in the current tests used for bovine TB.

Members stated that the logistics associated with this increased testing regime were unfeasible and impractical. For example, members commented that cattle farmed away from the holding, such as suckler herds, would require sufficient time, personnel and resources to

properly engage in this additional testing regime and that, for many cattle keepers, such resources were unavailable.

Notwithstanding the above, several members commented that, if the Welsh Government believed that additional tests were required, then the costs of such tests should be borne by Government.

7. Where do you feel this policy would have the most impact? (For example High TB Areas, Intermediate TB Areas or Low TB Area, or in specific circumstances).

Obviously, given the increase in time taken to move animals, this additional testing policy will have the greatest impact upon farms that would have had TB restrictions lifted under the old testing regime. This is irrespective of farm provenance.

8. Do you agree with the statement ‘the [gamma interferon] test used as a PrMT should be more sensitive and therefore more likely to identify truly infected cattle but acknowledge this would be at the expense of identifying more false positive cattle’? Please explain your reasons.

Aside from the fact that the question makes no grammatical sense, the FUW is concerned that it is worded in such a way that it is likely to lead respondents to providing answers that may be manipulated in their interpretation.

The FUW does not believe that proper consideration has been given to the relative merits of each of the potential testing options provided.

The key measure of diagnostic test accuracy is the relationship between specificity and sensitivity. The relatively poor sensitivity of the caudal fold skin test has led to numerous bovine TB programmes employing additional tests - such as the gamma blood test - that can either be used in series or in parallel with the skin test. Whilst the skin test has good average specificity, its average sensitivity is relatively poor and this can make it prone to false negatives. This can result in residual infection being left after application of the skin test during the current TB programme. The gamma interferon test, which was approved by the European Commission two decades ago *as an ancillary* to the skin test, can identify cattle at an earlier stage of infection when used appropriately. However, the complex nature of specificity and sensitivity mean that the degree to which gamma blood testing will identify false positive animals is a function of the manner in which the test is used and it is for that reason that its use has been restricted to specific breakdown herds.

Alongside sensitivity and specificity, other measures of diagnostic tool success are the Positive Predictive Value (PPV) and Negative Predictive Value (NPV). PPV is the probability that animals with a positive screening result truly have the disease, whilst NPV is

the probability that animals with a negative screening do not have the disease. According to the supplementary information provided by the Welsh Government on request, prevalence - which is a measure of the frequency of the disease in the population at a given time - impacts upon both PPV and NPV values. As population prevalence increases, the PPV also increases; thereby reducing the rate of false positive animals. At present, the gamma blood test has a high PPV *when used in a TB breakdown herd with lesion and / or culture positive animals*. This is why, at present, gamma blood testing is only used as a supplementary test alongside the skin test in specific TB breakdowns and may be repeated as long as standard interpretation skin test reactors and / or visible lesions at slaughter continue to be identified in these herds. Gamma is not as specific as the skin test and only when used within this limited context can confidence be increased that a positive result is a true positive.

Given the above, FUW members expressed extreme concern that the use of the gamma interferon test as a PrMT in all herds - regardless of TB history - will result in an unacceptable increase in the number of false positive cattle. Whilst the Union recognises the protective approach potentially conferred by the removal of an increased number of cattle, the potentially disproportionate effect of increased testing requirements and false positives on farm businesses must be considered. FUW members would rightly seek a balance between any increase in testing requirements and the actual benefits gleaned. Using gamma interferon testing as a PrMT in the manner outlined in the present consultation creates a situation whereby the risk of false positives could outweigh the need to identify infection early.

As stated under the general comments section of the FUW's response, the compounding effect of introducing multiple interconnected proposals was neglected in the present consultation and this is a serious omission. The introduction of gamma as a blanket PrMT would inevitably result in more cattle being slaughtered at a time when the Welsh Government plans to reduce the compensation paid for such stock and at a time of proposed testing cost increases.

Given the above, the FUW is frustrated that no data has been provided on the relative changes to sensitivity, specificity and overall PPV of gamma interferon when used in the blanket PrMT approach proposed. The consultation offers no information on the number of false positive cattle that would be expected under the approach proposed. Any skin test negative - but gamma positive - animals would need to be slaughtered and this is an important consideration within the context of the present consultation.

According to Defra, gamma false positives happen in around 3.5% of TB free animals under the current programme and when used within the context of TB breakdown herds described above. This is already a concerning figure, and redefining how such tests are used - and within what context - therefore requires much greater consideration than is offered in the present consultation. As such, FUW members were appalled that such a far-reaching proposal is included in the absence of such data and within a larger consultation which also contains more minor technical changes and issues relating to non-bovines.

The FUW is unaware of any bovine TB programme which utilises gamma blood testing in the manner proposed by the Welsh Government and believes this proposal to be untested in a real life context. The FUW would use this opportunity to state in the strongest possible terms that neither cattle, nor farmers, in Wales should be considered to be test subjects for untested and potentially devastating TB policies which lack evidentiary support, proper scientific analysis and any manner of impact assessment.

The union would reiterate the above in the context of the IDEXX antibody test.

9. Do you acknowledge that if blood testing (gamma or IDEXX) testing is deployed as a PrMT, there may be an additional cost to testing, which could not be met by Government? Please explain your reasons.

The union has not been provided with any information regarding the additional testing costs of either gamma interferon or IDEXX. As with many of the other proposals contained within this consultation, the dearth of information provided makes it difficult to determine the impact of the proposal.

In addition to the comments provided, the union notes that the consultation did not pose any questions relating to whether or not industry agrees with the use of gamma interferon or IDEXX as a PrMT *per se*. The FUW believes that this could be perceived as a deliberate attempt to influence the responses gained and the union therefore rejects this question.

10. Legal requirement for farmers not to move cattle between test day 1 (day of injection known as TT1) and test day 2 (day of the reading of the test known as TT2) and between blood testing and receiving results. Do you agree with the proposed approach? Please explain your reasons.

FUW members were not widely aware of the fact that cattle could move between the TT1 and TT2 test. The FUW agrees with the proposal; with the caveat that there are commonsense exemptions applied.

For example, several FUW members commented that the allocation of a slaughter slot can take up to 4 weeks. If the slaughter slot offered to a cattle keeper was to fall between the TT1 and TT2 test, and the move to slaughter was subsequently delayed, cattle keepers could be subject to a reduction in price due to the increased age of the stock. Given that such animals would only be moving to slaughter, and would be subject to post-mortem examination, an exemption for this and similar non-risky moves should be included in the proposals.

11. Consent to collect a sample for the purposes of TB testing or perform a test on a sample. Do you agree with this approach? Please explain your reasons.

The FUW believes that this proposal lacks clarity. The union notes that “*there is currently a risk samples could be taken and/or tested for TB and without the Welsh Government’s knowledge and that this could lead to “difficulty in receiving the results and acting upon them”*”.

Given that TB is a notifiable disease, and that control lies with the Welsh Government, the FUW would seek more clarity on this proposal and its impact upon the development of new TB tests and trials which would require Government approval prior to their genesis.

12. A Adding a new map to ibTB showing the number of years unrestricted cattle herds have been Officially TB Free (OTF). B Mandatory Information at Point of Sale. Do you agree with the proposals outlined? Please explain your reasons.

The FUW would use this opportunity to stress that it does not oppose the principle of risk based trading / informed purchasing, but remains concerned about proposals which are either too crude to be useful or too technical to be usable. Discussions surrounding risk based trading must recognise the balance between the need for information, the burden of collating such information and the resultant detrimental effects on some herds.

In 2018, the Farmers’ Union of Wales raised significant concerns relating to the Wales ‘ibTB’ bovine TB mapping information system. The FUW is therefore extremely concerned about recent proposals to increase the use of the ibTB site for risk-based trading purposes when there has been no reference to the potential future dangers of providing this information through a publicly accessible website.

Private and restricted access to ibTB would allow for a more thorough discussion on the types of information that can be provided using this portal in the future. Within the safeguard of restricted access, the future of ibTB information provision can be discussed with the industry without concerns relating to unforeseen consequences and the misuse of data by extremists.

Given proposals to increase the amount of information on this website, the FUW believes that removal of ibTB from the public domain should be a priority issue and should occur prior to any future discussions on the information provided by this portal.

The FUW would take this opportunity to remind the Welsh Government about previous correspondence from the FUW on the issue of provision of TB breakdown data. The FUW had previously called for cattle keepers that were contiguous to a TB breakdown to be provided with information regarding which of their neighbouring herds had lost OTF status. This information was deemed important in order to allow contiguous premises to best protect their stock from cattle-to-cattle transmission by managing their borders. Disappointingly, General Data Protection Regulation (GDPR) was cited as the reason for a lack of further information in this instance and the FUW believes that the Welsh Government is content to use GDPR issues when and where it best suits their policies. The union notes that there are

no GDPR complications cited when utilising either ibTB or mandatory information at point of sale, while the ibTB website allows members of the public to not only see the location of current and past outbreaks, but also to aerially view the property of those who have suffered outbreaks.

Notwithstanding the above, the FUW believes that, without other complementary measures, the number of years unrestricted cattle have been OTF is a crude measure of Informed Purchasing. For example, two herds with the same risk score may have bovine TB histories which represent very different risks: Farm A may have a score of 3 but have a TB history which encompasses several previous long-term breakdowns with numerous reactors, lesions at slaughter and positive culture results. Farm B - also with a score of 3 - may have had one TB breakdown and no lesions at slaughter or culture test positive results. The FUW is extremely concerned that these proposals have appeared within the present consultation without prior industry consultation and discussion. The FUW continues to reject Informed Purchasing until the Welsh Government is prepared to properly and thoroughly work with industry on the criteria for inclusion in such policies. The FUW is disappointed that the Welsh Government has chosen to exclude industry from discussions on Risk Based Trading criteria and would welcome the genesis of a working group to discuss Informed Purchasing / Risk Based Trading further and in more detail - as has happened previously.

In addition, it is unclear whether the Welsh Government proposes to use ibTB (1) in conjunction with mandatory TB information at point of sale (2) as a stand alone mandatory measure or (3) as a voluntary information portal.

Numerous members commented on the differing approaches to bovine TB eradication which have been established in Wales and England. The Union notes that the TB Health Check Wales, which was undertaken between 2008 and 2009, resulted in the introduction of the annual TB testing regime in Wales due to the presence of TB in herds previously tested once every four years. This blanket annual testing regime is in direct conflict with the English four-yearly testing regime and does not allow livestock keepers in other devolved administrations to properly understand and compare the level of risk when purchasing cattle in Wales compared to that in Scotland or England. Indeed, numerous members have cited difficulties in selling cattle to keepers residing in both England and Scotland due to the misconception of buyers that all herds subject to annual testing are in high risk areas. Numerous members also cited a concern that the move to classify herds as 'high risk' would function to further devalue Welsh cattle when compared to their counterparts in England.

Given the likely detrimental impact of providing mandatory TB information at the point of sale, the FUW would seek assurances that all efforts will be made to properly and thoroughly communicate the real risk posed by a herd in a given area. Given the continued misunderstanding surrounding the risk conferred by Welsh cattle under the current testing regime, numerous members expressed concern that the policies proposed in the present consultation would further devalue Welsh cattle by artificially inflating the TB risk posed.

In addition to the above, numerous members commented that cattle may be moved further distances to sales which provide the best advantage when selling higher risk stock. For example, it is unclear from the proposals whether the mandatory information at point of sale proposed by the Welsh Government will also be required when stock are sold in England. Members commented that any lack of Informed Purchasing at a GB level will undoubtedly lead to the demise of local markets as affected cattle keepers will choose to sell their stock across the border.

13. In the future, do you believe there should be implications for cattle keepers who fail to take notice of TB information, and make a purchase regardless of highlighted risks? Please explain your reasons. What do you believe these implications should be?

There is a lack of basic and fundamental information in this section of the consultation. The FUW cannot agree to this section of the proposals as it is unclear (1) which factors would be included to determine the measure of risk (2) the relative impact of these proposals on high risk herds / high risk areas.

Any moves to penalise certain types of purchases will inevitably make some Welsh cattle unsaleable and the FUW would query whether the Welsh Government would be willing to compensate those cattle keepers that have, effectively, received a Government endorsed '*black mark*' against their stock. The FUW is unaware of any other industry that would be subject to such Government interference in relation to the buying and selling of stock. Indeed, numerous members commented that this proposal was both discriminatory and divisive and could be open to legal challenge given the resulting adverse price variances, trade restrictions and two tier market. The Union recognises that the present consultation does not offer much scope for discussion on this element and further discussion on this matter is therefore warranted.

Risk classification systems can only work if all potential sources of bovine TB, including the wildlife vector, are dealt with - as has been demonstrated in New Zealand. If some factors are missed, RBT can disadvantage cattle keepers who have adhered to all regulations, have implemented good biosecurity and who have maintained good buying practise. Such keepers will fall foul of a system which does not protect them from TB, but penalises them once a breakdown occurs.

The Union would strongly oppose any move towards compulsory RBT prior to full discussion with industry and would seek to ensure that the Welsh Government fully engages with industry prior to the development of such a scheme. The FUW believes that the Welsh Government should establish a Risk Based Trading stakeholder group to ensure that Risk Based Trading criteria are not too crude to be useful or too complex to be usable. The Union would welcome further discussions on the remit and representation of such a group.

Although not in the present consultation, the FUW recognises that it may be the intention of the Welsh Government to apply the ‘implications’ for higher risk purchases post purchase; for example, in the form of reduced compensation for such stock if there was a subsequent TB breakdown on the buyer’s farm. The FUW would oppose this approach as it would continue to render some cattle unsaleable and could widen the net of unsaleable cattle. Furthermore, it is a disease policy which continues to chase the disease and is a poor method of disease control.

Increasing the administrative and financial burden of cattle keepers - whilst simultaneously devastating prices - provides no incentive to maintain current good practise and does not, as suggested in the previous 2017 Refreshed TB Programme consultation, give cattle keepers ‘ownership’ of this disease.

In addition to the above, several members commented that the consultation proposals appear to suggest that cattle farmers are content to accept bovine TB in their herds. Members commented that adaptations which accommodate TB restrictions, coupled with contingencies for TB breakdowns, do not, under any circumstances, reflect a willingness to live with bovine TB but are rather a consequence of the resignation that comes from a Government failure to deal with the disease holistically.

14. The Welsh Government proposes to link TB payments to implementation of disease prevention and control practices. What are your views on this?

The FUW has grave concerns that a proposal of such gravity has been included within a wider consultation, rather than as a standalone consultation. The issue of future bovine TB compensation deserves better prominence and respect than it has received within this consultation. Members therefore believed that the future of bovine TB compensation should be the subject of discussions with industry.

Furthermore, members felt angered at the Welsh Government’s suggestion that the compensation proposals ‘*link TB payments to disease control*’ when clearly the main issue relates to the escalating costs of a disease control policy which has failed to comprehensively tackle this disease.

Members stated that detailed discussions on proportionate changes to the provision of compensation should take place with industry, given the proposals represent a loss of more than 5 million pounds to the cattle sector and those secondary and tertiary businesses which rely heavily on the industry for their own viability. Indeed, the three options identified by the TB Programme Board represent significant on-farm losses which place the burden of Welsh overspend directly on to the industry whilst ignoring the role played by the Welsh Government in allowing the disease to proliferate on some premises. Proposals which represent such huge financial losses are in direct conflict with the aims and objectives of the

Well Being of Future Generations Act which requires public bodies to think about the long-term impacts of their decisions and improve the economic well being of Wales.

FUW members also noted that there were no plans to reduce the compensation provided for non-bovine species. Whilst recognising the savings to be minimal, members stated that parity across species was essential.

15. A. Table Valuations as per current English system B. Table valuations with an increase to payment based on membership of an approved animal health accreditation scheme C. Payments to be determined by an industry led independent group. An industry Levy would partly fund TB Payment costs Do you agree/ disagree with any of the 3 proposals? Please explain your reasons.

The FUW notes that the main driver for change is a financial overspend which is forecast to reach over 7 million pounds. The FUW recognises the challenges facing the TB eradication programme budget but notes that no attempt has been made to reduce TB eradication Programme expenditure for any programme element other than TB compensation. Whilst the FUW recognises that compensation is now the largest expenditure within the programme budget, supplementary evidence provided by the Welsh Government shows that ‘TB Programme Delivery’ accounted for almost 15 million pounds in a total 2020/2021 expenditure of just under 32 million pounds. This section of the budget includes ‘TB testing, eradication programme delivery and programme development’ and it is the firm belief of the FUW that the Welsh Government must ensure that all eradication programme elements are streamlined prior to discussions surrounding reductions in compensation for stock compulsorily taken due to a failing Government eradication programme.

A. Table Valuations as per current English system

The Union fundamentally rejects the proposal to move to tabular compensation on the grounds that it would be unjust and could result in payments that are below the true value of animals. This proposal clearly represents a way in which the Welsh Government can reduce expenditure by paying less for the consequences of their inaction over bovine TB.

The current valuation regime - which utilises independent industry experts to produce a valuation - is both better and fairer than the proposed tabular system. The introduction of tabulated valuations is unreliable, spurious and does not represent an appropriate mechanism by which to calculate the compensation that should be awarded. The Union would reiterate that valuing animals in such a simplistic way, regardless of the number of categories, could never constitute a fair system, since some producers are likely to be underpaid, while others would be overpaid. If there are problems associated with the current system of valuation, then that system should be examined and improved prior to any discussion about a move towards a tabular compensation system. This was the approach that resulted in the Auditor General’s 2003 report into compensation, and the subsequent changes to the valuation system. Unless individuals possess cattle that typify the average for factors such as breed and

age, the value paid will bear no resemblance to the animal in question. For some producers, this will mean the receipt of compensation which is below 100 percent market value and this is wholly unacceptable. In addition, market prices can vary significantly on a monthly basis, and the choice of when an animal is sold has been taken away from the farmer during a programme of compulsory slaughter. The volatility of the market cannot be accounted for when using monthly averages and does not constitute a fair system.

Animals that are placed on the market do not necessarily reflect the standards of those that remain on farm, particularly in the case of pedigree herds. Thus, the provision of compensation pertaining to average market value may not reflect the true value of the animal taken and could act as a disincentive to keeping higher value animals; particularly in areas where TB is prevalent. Indeed, the tabular system proposed will inevitably reward poorer quality animals and could have a negative effect on the use of herd improvement technologies such as genetic and genomics.

As stated in the Auditor General for Wales' 2003 report, "...it is the law that farmers should be compensated for cattle slaughtered for tuberculosis *to the extent of the market value of the animal*". As such, the only fair and legal way of valuing compulsorily purchased animals is to employ professional people, whose daily work involves the valuation of all categories of livestock, both in the pedigree and commercial sectors. For the reasons given above, there would clearly be both over and under payments for compulsorily purchased stock, and, in both cases, this represents an unjust and unfair system.

One of the drivers for change, which is consistently touted by the Welsh Government when discussing compensation payments, is to offer sufficient incentive for farmers to engage effectively in disease prevention measures. The FUW notes the statement within the present consultation relating to providing incentives for cattle keepers to '*proactively manage TB on their holdings*'. The FUW takes extreme exception to the statement that there '*is currently little obvious financial incentive [for farmers to manage TB] than to discourage the movement of animals on to the holding under license*'. The underlying implication inherent in this statement is that the level of compensation offered through the current system of independent valuations is high enough to act as a disincentive to disease control. Notwithstanding the fact that, in many instances, infection with bovine TB is due to circumstances out with the control of the farmer, the Union would vociferously object to this claim on the grounds that, at present, farmers are compensated only for the direct market value of the animal slaughtered. No compensation is offered for the additional costs incurred such as lost revenue, loss of milk production, loss of breeding lines, delays to re-stocking and movement restrictions. These consequential losses suffered by a producer whose animals are compulsorily purchased can be significant and run into tens of thousands of pounds. For example, research undertaken by Exeter University¹ more than a decade ago found that the monthly loss of a bTB breakdown varies considerably from just under £505 to nearly £3,184, while the costs of movement restrictions ranged from £3,198 to over £55,000 per farm.

¹ Economic Impact Assessment of Bovine Tuberculosis in the South West of England, *Butler et al.* (2010)

As such, members resented the accusatory tone underlying this section of the consultation and objected to the insinuation that cattle keepers are content to allow TB to proliferate on their holdings.

The Union would remind the Welsh Government that it is not the job of bovine TB compensation to incentivise disease prevention measures. Moreover, despite a demonstrable and compelling link between badgers and bovine TB in cattle, the past three decades of ineffective policy have restricted the ways in which farmers can manage the wildlife source of TB infection. A significant rise in badger numbers, wider policy issues and the continuing failure of the Government to act, have prevented farmers from protecting their herds from bovine TB. FUW members would argue that, to all intents and purposes, it is successive Welsh Governments that have allowed bovine TB to spread, and that proposals to further reduce levels of compensation that take no account of the consequential losses caused by their inactions are therefore wholly unacceptable. The most effective mechanism by which to reduce the compensation costs to the Welsh Government is to reduce the number of animals slaughtered and this cannot be achieved without an holistic approach involving the wildlife vector.

B. Table valuations with an increase to payment based on membership of an approved animal health accreditation scheme

Members believed that the annual testing regime, coupled with the numerous other testing requirements and biosecurity notices currently undertaken, were more than sufficient to manage cattle-to-cattle transmission on cattle premises. Indeed, FUW members commented that cattle keepers already undertake a wealth of measures to protect their herds from disease and the FUW received many comments regarding the lack of any demonstrable benefits from joining such schemes and the omission of such evidence in the consultation. In addition, the FUW would query how membership of an approved scheme would fit with the work being done with Cymorth TB and would caution against any approach which functions to duplicate the measures being advised and undertaken on farm.

Notwithstanding the above, the FUW would seek assurances that any procedures included in an animal health accreditation scheme have proper evidentiary support to ensure that they will make a significant impact on bovine TB levels. Additional biosecurity requirements - which are unproven and may therefore have little or no effect on *M. bovis* transmission or incidence - represent additional bureaucracy and costs and go against the objectives of the Working Smarter Initiative. Measures which impact upon farm businesses must be thoroughly evaluated, and the FUW believes it is unacceptable to continually press additional cattle control and biosecurity measures onto farms unless such measures have been proven to have a positive and significant impact on bovine TB levels. Indeed, the concept that such policies represent a 'trial and error approach' does not respect the need for farm businesses to function and operate in a manner which allows them to remain profitable and sustainable. The FUW would argue that all biosecurity and cattle control measures should be scored for

their potential effectiveness, and that moves toward an ever-increasing number of biosecurity and cattle control measures should be avoided unless it can be proven that the impact of implementing such measures is significant in terms of disease control and prevention.

The FUW would favour the development of a biosecurity package which allows members to choose from a suite of options, rather than one which is overly dictatorial, poorly evidenced and which does not account for the different types of herds and businesses in Wales. Furthermore, in order to ensure efficiency and value for money, it is essential that biosecurity measures to reduce bovine TB transmission are also useful for other diseases, such as BVD.

C. Payments to be determined by an industry led independent group. An industry Levy would partly fund TB Payment costs

The Union notes that the present consultation cites an industry group akin to the New Zealand Animal Health Board (AHB) as a potential way forward. However, unsurprisingly, the consultation does not go into depth about the real role and remit of the New Zealand AHB; choosing instead to offer the industry the implementation of the compensation policy without mention of those other policies which were central to the New Zealand AHB. The FUW would therefore be amiss if it did not also cite the fact the New Zealand Board was farmer driven and engaged in a thorough wildlife policy. Indeed, the New Zealand Government delegated national TB control policy and decision making to an industry-led advisory committee which became the AHB in 1993. The mission of the AHB was to 'eradicate TB from New Zealand and this group was responsible for implementing the National Pest Management Programme which ensured that wildlife sources of TB infection were appropriately dealt with.

FUW members rejected this proposal on the grounds that the Welsh Government sought to 'cherry-pick' from those strategies present elsewhere in a manner which places the greatest burden, cost and responsibility upon cattle keepers who remain powerless to protect their businesses from other forms of disease spread. Indeed, when considering the levy proposed within the present proposal, one FUW member succinctly commented that there could be 'no taxation without representation'.

The FUW notes the section on breaches for non-compliance and notes that this issue will be considered separately to the present consultation. The FUW would query the reasoning for offering breaches more respect than other equally or more important issues within the present consultation and would reiterate the need for wider discussions on many of the other proposals raised in the present consultation. The FUW would also use this opportunity to highlight the dichotomy between Welsh Government and their agents' regular failures to deliver TB policy on-farm with no perceivable repercussions and the proposals on additional farmer penalties for breaches of bovine TB regulation.

16. Annex 1 to this consultation sets out all proposals considered by the TB Eradication Programme Board. Are there any other proposals you feel should be explored? If so, please provide details.

The FUW is willing to engage in further discussions with the Welsh Government on the future of TB compensation in a manner which offers this issue due respect and consideration.

17. Explore prohibiting feeding of unpasteurised milk to livestock on OTFW premises Do you agree with this proposal? Please explain your reasons.

FUW members queried the level of enforcement required to successfully undertake this proposal. Indeed, given that there is already guidance on this issue, Union members believed that a legislative change would make little difference.

The supplementary information provided by the Welsh Government on this proposal states that *'while there may be significant risk in individual cases the overall importance of milk borne transmission in the epidemic is probably low or negligible'*. Given the evidence provided by the Welsh Government, the FUW does not believe that this is a priority issue and believes resources are better spent elsewhere.

In addition to the above, FUW members stated that it was important for calf welfare that calves were provided with their mothers colostrum and milk for the first few days of life. Given the immense impracticalities of attempting to pasteurise individual mothers milk for each calf, this proposal would detrimentally affect calf welfare for a negligible impact on bovine TB transmission.

18. Explore consolidation of the legislative requirements for sheep and pigs into the Tuberculosis (Wales) Order 2011 Do you agree with this approach? Please explain your reasons.

Given the negligible transmission risk, FUW members sought assurances that consolidation of the legislation would not place sheep movement restrictions on premises that tested positive for bovine TB.

19. Identification of non-bovines for TB testing purposes. Do you agree with this approach? Please explain your reasons.

FUW members agreed with this approach.

The FUW would take this opportunity to express concern about the lack of surveillance on wild deer. Due to their proximity with cattle, wild deer represent a potential source of TB transmission but are not subject to any significant surveillance programme. As the FUW understands it, the only current surveillance programme is a requirement, during cull periods, for hunters to look out for signs of TB lesions when butchering. In essence, this is a

voluntary programme which relies on the owner of the deer park notifying the presence of TB in their herd.

Given that the Welsh Government are content to put forward controls for cattle which will have a negligible impact upon TB transmission, the FUW therefore feels it is appropriate to discuss deer surveillance within this context.

In addition to the above, FUW members sought to ensure parity between the legislation for camelids, such as alpacas and llamas, and bovines.

20. Do you agree with the role and representation of the TB Eradication Programme Board? Please explain your reasons.

The union notes that the TB programme Board is responsible for '*providing direction and management of the TB programme*'. The FUW believes that the programme board - whose membership was selected based on Government priorities and processes - lacks transparency and that this hinders the ability of the TB Eradication Boards to work effectively. The FUW is unaware of any consultation process regarding the terms of reference, aims and objectives of the Programme Board and the work of this group is conducted largely out of the view of industry. Indeed, given that Board members were appointed via an 'invite only' approach, the '*knowledge, expertise and experience*' will undoubtedly fit with Government's priorities and there is concern that Board members who are less willing to constructively challenge or suggest novel approaches to Welsh Government policies may be more likely to be appointed.

Given the above, the FUW does not agree that the future of bovine TB control in Wales should see the cessation of the Eradication Boards. The FUW believes that this would create a further barrier between industry and Welsh Government policy makers at a time of significant and deleterious change.

The FUW notes that the consultation provides no proposals to '*refresh*' the membership of the TB Programme Board and would query the reasoning for maintaining membership of the Programme Board whilst requiring a refresh of the Eradication Boards. The Union would welcome moves to extend Eradication Board representation above what is currently permitted in order that veterinary and farming union personnel are included as industry representatives.

21. Changes to the TB Regional Eradication Boards

The FUW notes that there is no question in the present consultation asking respondents if they agreed with the role of the TB Eradication Boards, and this is a disappointing omission.

The FUW would therefore also provide the following comments relating to the role and remit of the TB Eradication Boards.

The eradication of bovine TB in Wales cannot be achieved without proper, effective and sincere partnership with industry. This includes better transparency and the withdrawal of government ‘*red lines*’ which function solely to ensure that some novel or scientifically justified approaches will be automatically rejected and other policy ideas quashed without proper consultation or discussion. More alarmingly, such red lines - including those pertaining to the wildlife vector - create barriers to the development of new policies even where new and emerging evidence would support a change in direction. The TB Eradication Boards must not be, in effect, wholly subordinate to the Programme Board but rather must be offered the powers requisite to providing proper and effective support, direction and challenge to the Programme Board.

According to the present consultation, the main aim of the Eradication Boards is to ‘*monitor and understand*’ the TB picture in their area. However, their original purpose was to ‘ensure that delivery is effective and reflects local conditions’ and the description in the consultation therefore acknowledges a dilution of their original purpose. It is therefore essential that the Eradication Boards are able to request information pertaining to issues such as regional epidemiology in order to assess the effectiveness of current policies and to provide ‘*input into policy development*’ and ‘*develop new ideas*’. However, as stated previously, the current stumbling block is that the Boards lack the powers to work with the evidence provided and to develop new and novel policies based upon such evidence. At present, the Boards are unable to provide significant constructive feedback, with the loss of the Welsh Government’s written reports, and there is a distinct perception that the Eradication Boards have become forums by which to seek industry endorsement of proposals that are, in essence, a *fait accompli*. Changing the personnel of the Eradication Boards - but not the function and powers - will simply allow the same processes to reoccur and will do little to foster ‘*new ideas*’ and outcomes. The FUW believes that there have previously been missed opportunities to improve partnership working and would use the opportunities provided in the present consultation to seek new and better ways of working which provide industry with genuine opportunities for TB policy development. Indeed, one of the reasons for refreshing the Eradication Boards cited in the present consultation is to ‘*reinvigorate stakeholders' appetite to engage constructively in the TB Eradication Programme*’. The FUW would suggest that a loss of appetite for constructive engagement can occur where stakeholders are increasingly and deliberately excluded from policy development and believe that their engagement is ineffective and fruitless due to the constraints placed upon them.

Given the above, the FUW notes with concern that the consultation states that the new and revitalised Eradication Boards should have input into policy and develop novel approaches whilst simultaneously ‘*recognising and respecting Government's priorities and red lines*’. With such a caveat it is unlikely that the Boards will be able to do little more than simply be a tool for the Welsh Government to sign off its own TB agenda whilst claiming industry support. Indeed, given that the Eradication Boards will be required to ‘*help facilitate and streamline key messages between Welsh Government and the farming industry*’ it is essential

that stakeholders are offered the respect that this position deserves in order to avoid the Boards further becoming little more than communication forums.

In its response to the 2017 Refreshed TB Eradication programme consultation, the FUW stated that it was essential that the farming unions were properly and fully included in the makeup of the new regional boards. The Union would welcome moves to extend representation above what is currently permitted in order that both farming and policy personnel are included and represented on the refreshed Boards.

The union notes with dismay the continued appetite of the Welsh Government for group stakeholder membership which involves a public appointment process. FUW members strongly opposed the use of a public appointment process for TB control citing that the industry would have no input into the appointment criteria used by Government.

The FUW is unclear about the differences between the 'TB Stakeholder Groups' proposed versus the TB Eradication Boards. Notwithstanding the comments provided previously, members believed the current geographical structure of the Eradication Boards was an appropriate model in order to represent the differing epidemiology, policy and regulatory requirements of each region. Indeed, the regionalisation of TB control and policy 2017 necessitates such an approach as potential areas of conflict could arise. Nevertheless, regionalisation should not preclude the Eradication Boards from collaborating and sharing information, ideas and concerns about current issues; as is the present format.

22. Do you believe there is an alternative approach? If so, please explain further.

Members believed that the future of the Eradication Boards should be considered in consultation with industry; regarding both group membership and structure and the FUW would welcome further discussions on this issue.

23. Establish a Technical Advisory Group. Do you agree with this proposal? If so, please suggest scientific disciplines which could add value to the Programme? Please explain your reasons.

FUW members agreed with the establishment of a TB Technical Advisory Group with the caveat that the work of this group *must* be independent, open access and available to industry. The FUW notes that the consultation suggests that the Technical Advisory Group should report to the TB programme Board and the FUW rejects this proposal on the grounds that the work of the Technical Group should be wholly transparent and independent of Government policies and 'red lines'. The FUW would welcome the establishment of a group which could be called upon by industry to provide technical information on a wide range of TB related issues.

Question 24/25: We would like to know your views on the effects these proposals would have on the Welsh language.

The Amaeth Cymru Data and Evidence Group's 2016 report entitled 'Farming in Wales and the Welsh Language' found that a far higher proportion of those in the ONS Agriculture, Forestry and Fishing employment category spoke Welsh than in any other category. Further analysis by the Welsh Government demonstrated that 43% of those in this category are able to speak Welsh.

The 43% figure compares with just 17% for all Welsh workers, meaning the prevalence of Welsh speakers in the agricultural industry is 153% higher than for Wales as a whole.

The Amaeth Cymru report also found that in communities where between 30% and 80% of the community speak Welsh, the proportion who do so within the agriculture category is significantly higher than the overall average, and higher than for all other work types; for example, in communities where the proportion who speak Welsh is between 40% and 50%, the proportion who do so within the agriculture category is 64%.

As such, any proposals which compromise Welsh farm businesses, farming communities or Welsh agriculture in general represent a significant threat to the industry within which the greatest percentage of Welsh speakers is preserved and the FUW believes that the current proposals represent just such a threat. Indeed, the Iaith y Pridd report published by Farming Connect stated that family farms are a significant part of Welsh society and culture and added that they need to be protected.

The costly, burdensome and unjustifiable proposals contained within the present consultation threaten to undermine the sustainability and viability of FUW family farms and those involved in cattle supply chains where the Welsh language is common or ubiquitous, and are in direct opposition to the aims and objectives Well-being of Future Generations Act by weakening the future resilience of the sector and ultimately reducing the land available for farming in the future.

I trust the due consideration will be given to the preceding information. Please do not hesitate to contact me pending any queries in relation to the FUWs response.

Yours sincerely

Dr Hazel Wright
FUW Senior Policy Officer

